

DRINKING WATER & WASTEWATER PROFESSIONALS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 11/1/2017

BOARD MEMBERS PRESENT: Dr Joan M Cloonan - Chair
Brad D Andersen
Michael S Parker
Daniel J Messier
Michael W Shepherd
Paul D Sifford
Barry N Burnell

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Kellie LaBonte, Technical Records Specialist II

OTHERS PRESENT: Shelley Roberts, Idaho Rural Water
Edward Martinho
Haji Jawid

The meeting was called to order at 8:30 AM MDT by Vice Chair Shepherd.

APPROVAL OF MINUTES

Mr. Messier made a motion to approve the minutes of 8/2/2017. It was seconded by Mr. Sifford. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$380,761 as of 9/30/2017.

Dr. Cloonan arrived and led the rest of the meeting.

INTRODUCTION OF NEW BOARD MEMBER

The Board welcomed Mr. Parker as a new Board Member and thanked him for his willingness to serve on the Board

PUBLIC COMMENT

Dr. Cloonan asked the members of the audience if anyone wished to address the Board. There was no one who wanted to address the Board.

EXECUTIVE ORDER

Dr. Cloonan updated the Board on the Executive Order meeting on 10/12/2017 with Lieutenant Governor Little. Dr. Cloonan stated that Lieutenant Governor Little gave an overview of the Executive Order and explained that the purpose of the review is to ensure the lightest possible hand of government regulating commerce and industry while still preserving the public trust.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadlines to submit proposed rule and law revisions to the Governor's Office have passed for the 2018 Legislative Session. The deadline to submit proposed law changes to the Governor's Office is Mid-July and the deadline to submit proposed rule changes to the Governor's Office is Mid-August for the 2019 Legislative Session.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Messier made a motion to approve the Bureau's recommendation and authorize closure in case I-WWP-2018-4. It was seconded by Mr. Shepherd. Motion carried.

TO DO LIST

The Board reviewed the to-do list and no action was taken.

Mr. Shepherd provided an update from the subcommittee reviewing professional operator certification. He provided the Board with information on how three other states are recognizing the professional operator certification.

Ms. Cory recommended the same subcommittee to work with Ms. Joan Callahan on possible law or rule changes for the 2019 Legislative Session. Dr. Cloonan recommended the subcommittee have a draft ready for the Board to review at the February meeting and then the Board would finalize any proposed changes during the May meeting.

Ms. Roberts updated the Board regarding the apprenticeship program. She provided the Board with handouts showing the progression of the development of the apprenticeship program, and the drafted work schedule and related

instruction outline for both drinking water operators and wastewater operators. Ms. Roberts said that Board guidance is needed to determine how the apprenticeship program would fit into current law and rule, or help identify possible changes.

Ms. Roberts said that she submitted a continuing education application for course approval for the Board's review today. The course is titled Utility Management Certification intended for those in management type positions versus entry level positions. If approved, the first course will be held in November. The Board agreed to have the subcommittee review the application during application review later in the meeting.

EXECUTIVE SESSION

Mr. Shepherd made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Burnell. The vote was: Dr. Cloonan, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye; Mr. Burnell, aye; Mr. Sifford, aye; and Mr. Parker, aye. Motion carried.

Mr. Shepherd made a motion to come out of executive session. It was seconded by Mr. Messier. The vote was: Dr. Cloonan, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye; Mr. Burnell, aye; Mr. Sifford, aye; and Mr. Parker, aye. Motion carried.

BACKFLOW ASSEMBLY TESTER (BAT) LICENSURE INSTRUCTIONS AND WEBSITE UPDATE

The Board reviewed a flow chart and outline showing the application process. The Board reviewed an instruction sheet for approved BAT instructors to provide to course attendees explaining the licensure process.

Mr. Messier made a motion to have the Bureau post the flow chart and outline on the website and to provide the licensure instructions to the approved BAT instructors. It was seconded by Mr. Andersen. Motion carried.

CHANGE TO THE CONTINUING EDUCATION AUDIT PROCESS

Ms. Hall said that the Bureau's programmer will be working on the change to audit all licenses for an individual versus auditing the licenses separately. The Board reviewed the template of the audit letter that is currently used and Ms. Hall said that due to the change in the process, the letter will need changes as well. Mr. Parker will work with Ms. Hall and Ms. LaBonte to revise the audit letter.

SECURE WEBSITE DEMONSTRATION

Ms. Hall provided a brief demonstration of the secure website that may be used to conduct future meetings and conference calls. The subcommittee reviewing continuing education courses may use this process.

Mr. Messier made a motion for the Board to use the secure website for its meetings beginning in February 2018. It was seconded by Mr. Shepherd. Motion carried.

ASSOCIATION OF BOARDS OF CERTIFICATION

Mr. Andersen made a motion to send Mr. Shepherd, Mr. Messier and Ms. LaBonte to the 2018 ABC conference in San Antonio with Mr. Parker to serve as an alternate. It was seconded by Mr. Burnell. Motion carried.

The Board discussed the 2017 ABC standardized exams. Dr. Cloonan and Ms. LaBonte participated in a webinar that discussed the differences in the examinations currently used and the 2017 ABC standardized exams. The new exam will focus on national processes and techniques. Dr. Cloonan stated that the regulatory questions pertaining to Idaho are no longer a part of the ABC exams. She said that if the Board opted to use these exams, then Board would have to implement a way to address the Idaho specific regulations such as a course, an application item, jurisprudence exam, or other method. Mr. Messier made a motion for the Board to use the 2017 ABC standardized examinations. It was seconded by Mr. Sifford. Motion carried. After continued discussion, the Board found it beneficial to have Board Members review the examination. Mr. Burnell made a motion to rescind the previous motion. It was seconded by Mr. Sifford. Motion carried. Mr. Burnell made a motion to have Mr. Sifford, Mr. Messier, and Mr. Shepherd review the exams. Dr. Cloonan referred to information sent from ABC to the Board. Discussion was held regarding implementation and whether Board review was necessary as ABC went through many reviews before finalizing these exams. Mr. Burnell withdrew his motion. Mr. Messier then made a motion for the Board to use the 2017 ABC standardized examinations. It was seconded by Mr. Sifford. Motion carried.

The Board also added to the to-do list for the Bureau to research the different methods of addressing the Idaho specific regulations such as requiring a continuing education course covering Idaho laws and rules or a jurisprudence exam.

CORRESPONDENCE

The Board reviewed correspondence regarding Professional Operator Certification. Mr. Messier made a motion to refer the individual to the minutes of this meeting and inform him that being able to accept the Professional Operator Certificate would require statute changes. The earliest the Board could propose those changes would be the 2019 Legislative Session if the Board decides to move forward. It was seconded by Mr. Parker. Mr. Andersen voted no. Motion carried.

The Board asked Ms. LaBonte to respond to the other correspondence items as directed.

PLAQUES FOR BOARD MEMBERS

Mr. Andersen made a motion to order plaques for Board member service for Mr. Bryan Lacy and Mr. John Lee; and to order plaques for any Board members in the future who complete their service on the Board. It was seconded by Mr. Sifford. Motion carried.

APPLICATION PROCESSES

Mr. Burnell will conduct a comparison of requirements for Idaho and California for wastewater collections licenses and certifications and bring recommendations to the Board at the February meeting.

Mr. Shepherd made a motion for a letter to be sent to applicants with a felony record to attend the next Board meeting upon completion of the application. It was seconded by Mr. Messier. Motion carried.

Discussion was held regarding applications where the affidavits are either incomplete, whited out, or otherwise changed. The Board determined that consideration would be given only to the most recent, completed, signed and notarized affidavit from an employer.

Discussion was held regarding actions taken on applications. Mr. Ellsworth said that the Board has the option of tabling an application until the requirements are complete versus denying an application. Mr. Ellsworth explained that denials occur when an individual does not or likely will not meet the licensure requirements despite any length of time provided. The Board agreed to take this into consideration when reviewing applications.

The Board discussed how the number of hours of experience and responsible charge are calculated. The Board calculates the number of hours based on a 50 week work year. The Board discussed having this noted on the affidavits. Mr. Messier made a motion to add the terms of calculation to the affidavits. It was seconded by Mr. Parker. Motion carried.

The subcommittee that reviews continuing education courses would like the Excel spreadsheet information to be filled out by the course provider. Mr. Messier made a motion for the Excel spreadsheet to be included as part of the continuing education course application. It was second by Mr. Andersen. Motion carried.

Discussion was held regarding upgrading licenses. The lower class license must be current in order for the application to be considered an upgrade. At the time of application Ms. LaBonte will notify the applicant if the lower class license has expired or is close to expiring that the license will need to be current prior to being issued the higher license.

Ms. Hall provided the Board with revisions to the applications. Mr. Messier made a motion to have Dr. Cloonan work with Ms. Hall to update the application forms. It was seconded by Mr. Sifford. Motion carried.

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Mr. Andersen made a motion to come out of executive session. It was seconded by Mr. Sifford. The vote was: Dr. Cloonan, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye; Mr. Burnell, aye; Mr. Sifford, aye; and Mr. Parker, aye. Motion carried.

APPLICATIONS

The Board reviewed 116 applications. Mr. Burnell made a motion to approve 27 applications for licensure; to approve 67 applications for exam; to table 6 applications pending more information; and to hold 16 applications pending more information. It was seconded by Mr. Shepherd. Motion carried.

Approved for Licensure

ANDERSON MICHAEL	WWT4-22144
BARNES CHARLES A	DWD1-22107
BENJAMIN AARON	WWT1-22046
BEYERLEIN KYLE	WWT2-22061
BUDAY RICHARD ANDREW	DWT3-22035
BUDAY RICHARD ANDREW	DWD2-22034

COLLINS DAVID WAYNE	WWT1-22048
CREA SHELBY MICHAEL	DWD1-22151
DE GROOT CHRISTOPHER L	DWD4-22086
DEWEY STEVEN LEE	WWC1-22139
ENGLISH TED	WWC1-22099
HARPE KEITH KYLE	DWD1-22051
HEIGHWAY JEFFREY R	BAT-22109
HYINK JACOB R	WWCOIT-22121
KIENKE KADE	BAT-21341
MARTINHO EDWARD	BAT-21885
MCDOWELL THOMAS JAMES	DWD1-21688
MOSS BRIAN EUGENE	DWT1-22167
MOSS BRIAN EUGENE	WWC1-22166
MOSS BRIAN EUGENE	WWT2-22165
ROMACK CALEB KENNETH	DWD1-22058
SHAFFER LUKE JEFFERY	WWT1-22008
SHURTZ RETT J	WWC1-22036
SMITH WILLIAM EMMETT	WWT1-22055
STUCKI BRYCE KELLY	DWD1-22175
VINCENT BRIAN ADAM	DWD1-22038
WHITEMAN MEREDYTH I	DWD1-22164

Approved for Exam

ABERCROMBIE ANDREW J	WWC4
BALLING ROBERT H	WWWSS
BATEMAN JEFF T	WWC4
BENAVIDEZ PAUL LARRY	DWD2
BOOTH SAMUEL AARON	WWC4
BOX KIERNAN STEPHEN	WWC1
BRINKLY DUSTIN L	DWT2
BRUCE CHRISTOPHER JAMES	DWD1
CALLIHAN BRAD ALLAN	WWC3
CAMBURN JESSIE ALLEN	DWD3
CARSON LESLIE J	DWT1
CHRISTLEY JAY BRYAN	WWT1
COMBS JACOB D	WWC2
CREEK CODY D	DWDVSWWS
DAISSON MICHAEL L	WWT1
DONOVAN BRIAN	WWTLA
ENGLISH TED	WWT1
ERICKSON JAMES DAVID	DWD3
FERGUSON NATHAN C	WWT2
FRANCE NEAL L	WWT2
GARCIA BARRY ALLAN	WWT2
GRYTNESS ROBIN WADE	WWC3
HARSTOCK CALEB RAY	WWC1

HAWKER RODGER BEN	WWT4
HEGEL TYSON QUALE	DWD2
HENDRY WILLIAM THOMAS	WWT2
HESS DARIN D	WWC2
HILL LAURA L	DWD3
HOWELL JEREMY J	DWD2
HUGHES TRAVIS REX	WWC4
HULL DEVEN AUSTIN	WWT4
HUNTER TODD A	DWD2
ISELL DANIEL	WWC1
JAWID HAJI	WWT1
JONES ROBERT FRANK	DWD3
KENNEDY TOBBY RAYMOND	WWT2
KETTERLING RYAN	WWC1
LACY BRYAN A	DWD2
LACY BRYAN A	WWC4
LAFAY STACY V	WWT4
LESNIEWSKI ROBERT JOSEPH	DWD2
LHULLIER DANIEL A	DWDVSW
LUSTIG JACOB RAYMOND	WWC1
LUSTIG JACOB RAYMOND	WWT1
MCDONALD DAVID JOHN	WWT1
MCDOWELL THOMAS JAMES	WWC1
MOORE ALLEN K	DWD4
OLSEN RENEE	WWL1
PARKER KARL DON	DWD1
PEARSON DAX L	WWC2
PETTY KEVIN	WWC2
RHODES IRA S	DWT1
RINDLISBACHER GARY L	WWT1
RODRIGUEZ JOEL	DWT1
RODRIGUEZ JOEL	DWD3
SHURTZ RETT J	DWD1
SMITH JASON DENNIS	DWD4
SMITH JASON DENNIS	DWT3
STINSON JOHN GEORGE	DWT2
SUWANRIT FRANK S	WWT2
TOLLE MICHAEL ALLAN	WWT2
VARNEY DONALD D	DWD2
VARNEY DONALD D	WWC2
WEBB JARED D	DWD2
WHITELEY AARON J	WWT2
WHITEMAN MEREDYTH I	DWD2
WORKMAN PATRICK	DWT1

Tabled

901150554
901144221
901152914
901120788
901154865
901154865

Pending

901153850
901123388
901123388
901035715
901035715
901149901
901144500
901134173
901132532
901132532
901148729
901124158
901138382
901153610
901147931
901149240

FUTURE AGENDA ITEMS

The Board would like to discuss Backflow Code of Ethics at its next meeting in February 2018.

NEXT MEETING is scheduled for February 7, 2018.

ADJOURNMENT

Mr. Messier made a motion to adjourn the meeting at 4:15 PM. It was seconded by Mr. Andersen. Motion carried.

Dr Joan M Cloonan, Chair

Brad D Andersen

Michael S Parker

Daniel J Messier

Michael W Shepherd

Paul D Sifford

Barry N Burnell

Tana Cory, Bureau Chief